

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **August 13, 2002**

AGENDA ITEM NO.: **17**

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: **Public Hearing Regarding Vacating Shelby Street And A Portion Of Meriwether Road**

### RECOMMENDATION:

Adopt ordinances vacating Shelby Street and a portion of Meriwether Road.

### SUMMARY:

Joseph & Mary Spencer, A. Willard Arthur, Michael Buhler and Orion Templeton are petitioning the City to vacate Shelby Street and a portion of Meriwether Road. The Technical Review Committee (TRC) report is attached. The petitioners own all of the property that adjoins these two paper streets. The TRC comments have been incorporated into the proposed ordinances.

### PRIOR ACTION(S):

July 23, 2002: Technical Review Committee Review

August 6, 2002: Physical Development Committee Review

### BUDGET IMPACT:

None

### CONTACT(S):

Pat Kost 847-1443/228

Orion Templeton 239-1850

### ATTACHMENT(S):

- Ordinances
- Maps
- Technical Review Committee Report
- Application to Vacate

### REVIEWED BY: lkp

AN ORDINANCE VACATING A PAPER STREET KNOWN AS SHELBY STREET

WHEREAS the City of Lynchburg on its own motion is proposing to vacate a paper street known as Shelby Street; and

WHEREAS the petitioners own all of the property that abuts this paper street; and

WHEREAS City Council finds that no public inconvenience will result from vacating a paper street known as Shelby Street;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described paper street be, and the same hereby is, discontinued and vacated, namely:

A paper street known as Shelby Street from its intersection of Wendover Square to the intersection of Meriwether Road.

Said vacation is contingent upon the following: (1) that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace and maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division, and (2) that a plat vacating lot lines on parcels that are adjacent to Shelby Street must be submitted for review and approved by the Technical Review Committee,

BE IT FURTHER ORDAINED That the Clerk of Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

156P

AN ORDINANCE VACATING A PORTION OF MERIWETHER ROAD

WHEREAS the City of Lynchburg on its own motion is proposing to vacate a portion of Meriwether Road; and

WHEREAS the petitioners own all of the property that abuts this paper street; and

WHEREAS City Council finds that no public inconvenience will result from vacating this portion of Meriwether Road;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described portion of Meriwether Road be, and the same hereby is discontinued and vacated, namely:

A portion of Meriwether Road outside of the new right-of-way running along the west side of Meriwether Road from approximately 60 feet south of the American Electric Power transmission line to the north side of Scenic Drive.

Said vacation is contingent upon the following: (1) that public right-of-way be dedicated to the City of Lynchburg for the relocation of this portion of Meriwether Road, (2) that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace and maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division, (3) that a plat vacating lot lines on parcels that are fronting on the northeast side of this portion of Meriwether Road must be submitted for review and approved by the Technical Review Committee, and (4) that a permanent access easement be granted to parcel number 203-12-009 to enable access to the new proposed relocated Meriwether Road,

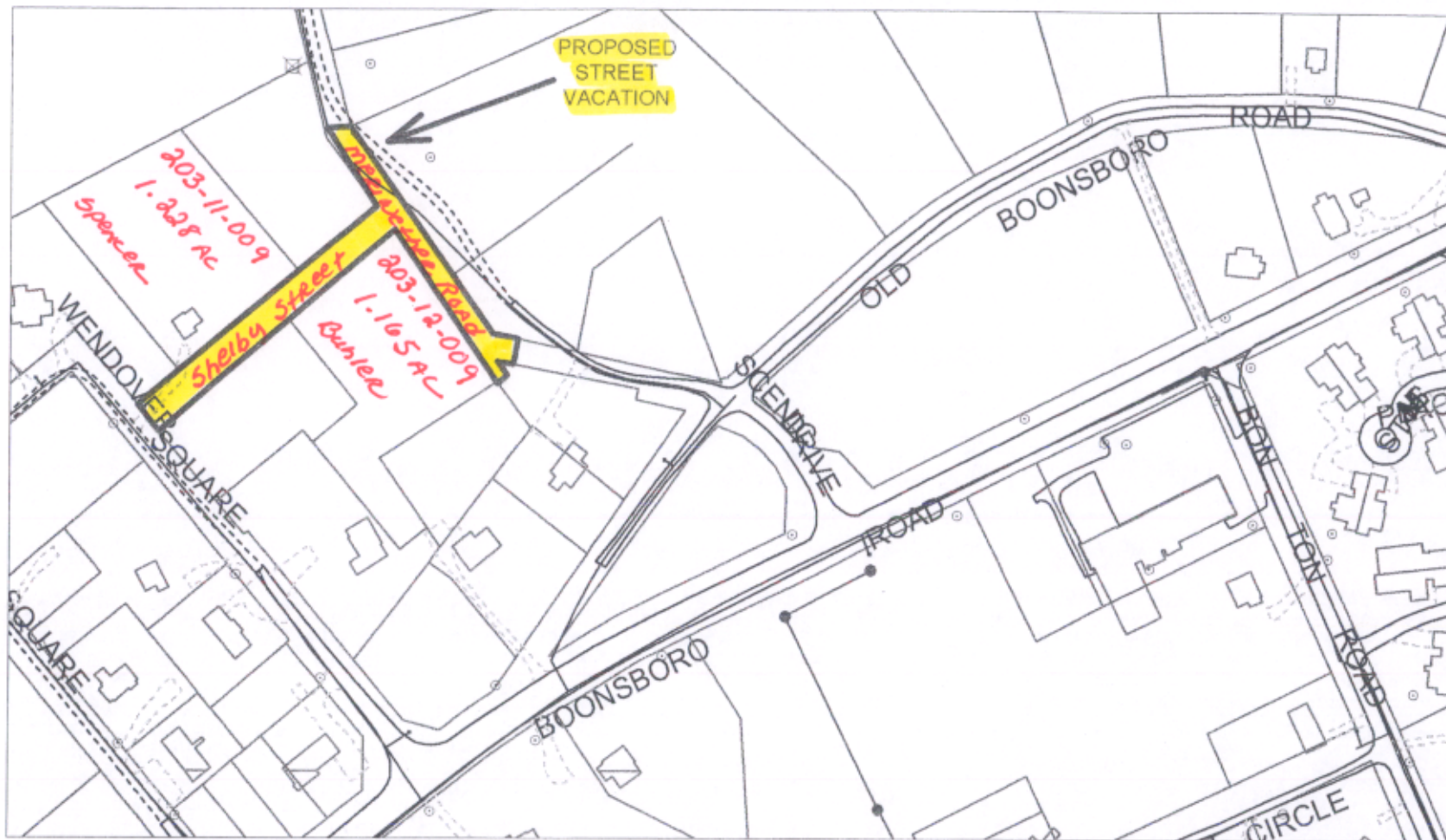
BE IT FURTHER ORDAINED That the Clerk of Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

156P



- GIS.FIREHYDRANT
- GIS.SEWERMANHOLE
- ~ GIS.SEWERPIPE
- ~ GIS.WATERMAIN

## SHELBY ST & MERIWETHER RD PROPOSED STREET VACATION

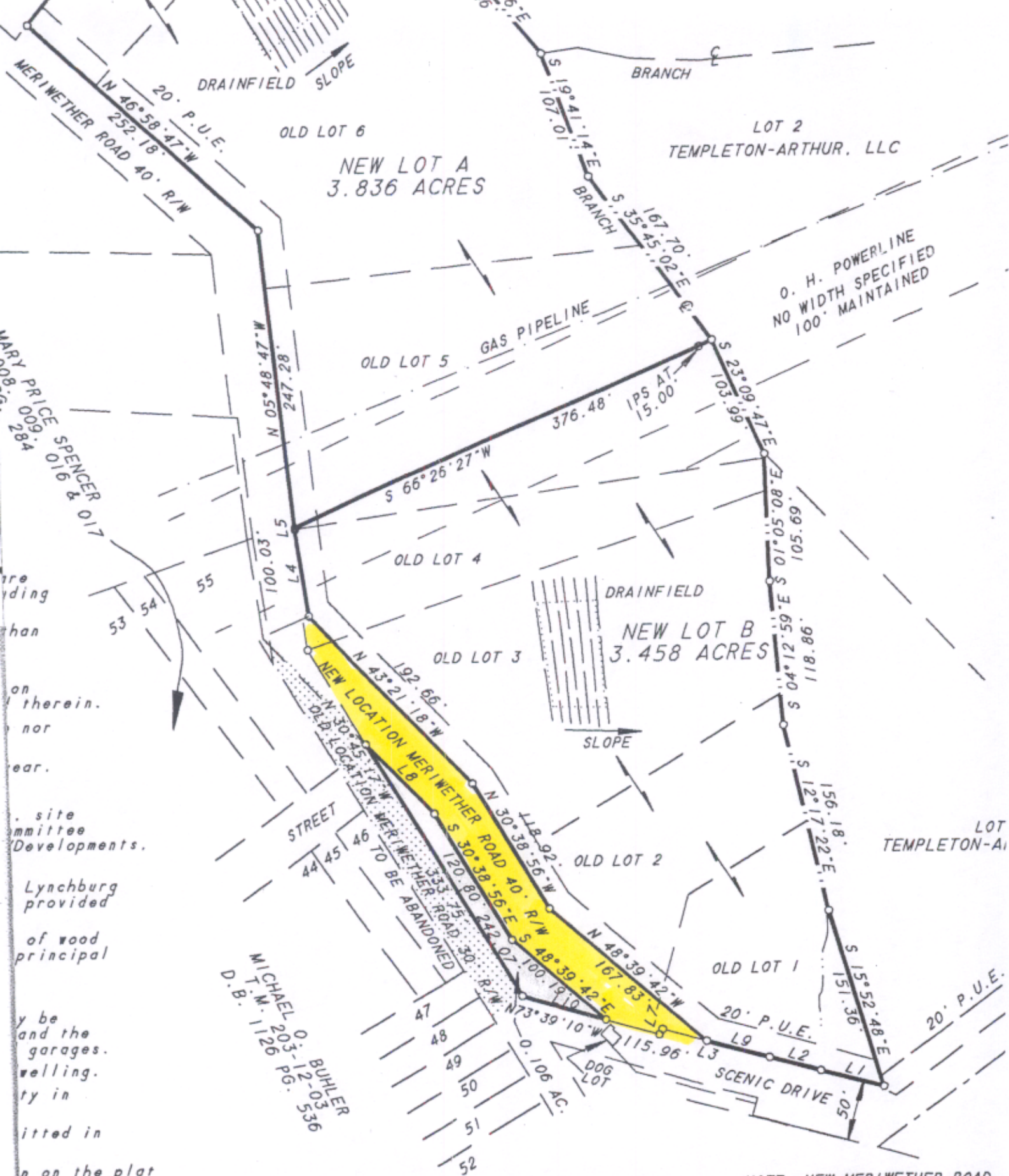
THE CITY OF LYNCHBURG, VIRGINIA



DEPT. OF PUBLIC WORKS

GIS

|              |              |          |             |
|--------------|--------------|----------|-------------|
| DESIGNED BY: | DRAWN BY:    | R G Cash | CHECKED BY: |
| APPROVED BY: | PROJECT NO.: |          |             |
| SCALE:       | N.T.S.       |          |             |
| DATE:        | 8/13/2002    | SHEET    | 1 OF 2      |



NOTE: NEW MERIWETHER ROAD  
FOLLOWS EXISTING ROAD AS  
LOCATED ON THE GROUND.





## The City of Lynchburg, Virginia

CITY HALL, LYNCHBURG, VIRGINIA 24505 • (804) 847-1508  
FAX • (804) 845-7630

PLANNING DIVISION

July 29, 2002

TO: Patricia W. Kost, Clerk of Council

FROM: Annette M. Chenault, Planner II *Amc*

RE: Street Vacation – Shelby Street and a portion of Meriwether Road  
TRC Review: July 23, 2002

On July 23, 2002 the Technical Review Committee (TRC) reviewed a Street Vacation for Shelby Street and a portion of Meriwether Road. Following are the comments:

1. The subject project proposes the vacation of Shelby Street and a portion of Meriwether Road. An application for vacating the subject rights-of-way has been submitted to the City Manager's Office, and City Council is scheduled to hear the matter on August 13.
2. A section of Meriwether Road is proposed to be realigned; therefore, all lots fronting on Meriwether Road will retain public right-of-way frontage. However, the lot identified as Tax Map Number 203-11-009 and 203-12-009 would be landlocked with the proposed vacation of these streets. In order to allow the vacation of these streets, a plat vacating lot lines must be submitted for review and approval by the TRC. You may contact me for further information.
3. If any City Utilities are located within the portion of the street being vacated, then an easement is required.
4. All lots must front on a public right-of-way or an easement be granted.

Attachment

pc: Technical Review Committee

APPLICATION FOR THE VACATION OF A

street (Shelby) and portion of Meriwether Rd.  
(Street/Alley)

LOCATED BETWEEN

Wendover Square and Meriwether Rd  
Joseph & Mary Spencer - A. Willard Coker  
The undersigned applicant, Michael Buxler Orion Templeton

pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and

Section 35-71 through Section 36-77 of the City Code, 1981, as amended, respectfully makes

application to the Lynchburg City Council for the vacation of that certain street and portion  
of Meriwether Rd  
described as follows:

Shelby Street from intersection of Wendover Square to  
the intersection of Meriwether Road and portions  
of Meriwether Rd. outside of new right of way  
running along the west side of Meriwether Rd from  
approximately 60 ft south of AEP Transmission line to the  
North side of Seaside Dr.

The applicant further requests the Lynchburg City Council to hold a public hearing on  
this application at its meeting to be held in the Council Chambers, City Hall, 900 Church Street,  
Lynchburg, Virginia, on AUGUST 13, 2002, at 7:30 p.m., or as soon thereafter as  
the matter may be heard, and at the conclusion of which hearing to consider whether or not to  
vacate the above described PROPERTY.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

665-4902-mobile

A. Wieland Luther 239-0383

Orion A. Templeton

Applicant

5604 Fort Ave

Address

Lynchburg, Va. 24502

434-2391850

Telephone Number

WE, THE ADJOINING PROPERTY OWNER(S), ARE IN AGREEMENT TO THE  
VACATION OF THE ABOVE DESCRIBED PROPERTY:

Michael A. Bulfinch  
Joseph W. Spencer  
Mary Price Spencer